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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,103	03/03/2004	Wesley E. Brackett	417660	4096
30954	7590	05/20/2005		
LATHROP & GAGE LC 2345 GRAND AVENUE SUITE 2800 KANSAS CITY, MO 64108			EXAMINER HURLEY, KEVIN	
			ART UNIT	PAPER NUMBER
			3611	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/792,103		BRACKETT ET AL.	
	Examiner		Art Unit	
	Kevin Hurley		3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13, 15-25 and 29-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32-37 is/are allowed.
- 6) ☒ Claim(s) 1, 4-12, 15-25 and 29 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 13, 30 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

91

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-12, 15-25, 29 (as understood) are rejected under 35 U.S.C. 102(b) as being anticipated by DeRoule et al.

DeRoule et al. discloses A trailer tongue extension assembly comprising:

a tubular trailer tongue 100 having at least one open end and an internal channel at least partially along a longitudinal axes from the open end, a tubular removable extension 160 having a mating end structured and arranged to slip fit into the open end of the trailer tongue; a first electrical connector 180 disposed within the trailer tongue channel; and a second electrical connector 200 disposed within the removable extension; wherein the first and second electrical connectors engage and disengage as the removable extension is installed or removed from the trailer tongue, wherein the first electrical connector and the second electrical connector are substantially enclosed within the assembly, wherein the extension slip-fits into the tubular trailer tongue, further including an attacher 140 configured to attach the removable extension to the trailer tongue, wherein the first electrical connector and the second electrical connector are mated electrical plugs, wherein the first electrical connector and the second electrical connector are substantially enclosed within the assembly, wherein the first electrical connector is keyed to mate

Art Unit: 3611

only with the second electrical connector of the extension. , wherein the first electrical connector is inaccessible from an open end of the trailer tongue without the trailer tongue extension. , further including a trailer electrical harness 260 connected to the first electrical connector and a towing vehicle electrical harness 280 connected to the second electrical connector , wherein when assembled, the vehicle electrical harness provides electricity to the trailer electrical harness, wherein engaging the attacher when the tongue extension is removed from the open end of the trailer tongue prevents mating between the first and second electrical connectors, wherein the attacher ensures the first electrical connector and the second electrical connector remain mated when the tongue extension is slip-fit into the opening of the trailer tongue.

Allowable Subject Matter

3. Claims 2-3, 13, 30-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claims 32-37 are allowed.

Response to Arguments

5. Applicant's arguments filed 18 April 2005 have been fully considered but they are not persuasive. Regarding the rejection of claims 1 and 17, applicant has argued that DeRoule et al. does not disclose nor suggest the use of a tubular trailer tongue or tongue extension, extension as shown in applicant's disclosure and claimed in claims 1 and 17. It is noted that claims 1 and 17

do not claim a trailer, only a “tubular trailer tongue”. The claims do not recite any special structure which would read over the DeRoule et al. reference. The broadest reasonable interpretation of “tubular trailer tongue” would simply be a tubular member, which DeRoule et al. certainly discloses with element 100.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Hurley whose telephone number is 571-272-6646. The examiner can normally be reached on Monday-Friday 9:30-5:00.

Art Unit: 3611

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kevin Hurley
Primary Examiner
Art Unit 3611

May 14, 2005